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Adversary analysis and optimizing the macro-economic stakes of transnational divide in migration for development

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CENTER ON MIGRATION, CITIZENSHIP AND DEVELOPMENT

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Adversary Analysis and Optimizing the Macro-economic Stakes of Transnational Divide in Migration for Development

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Abstract

In the traditional discourses on modern international migration, the institutional boundaries in the macro-economic domain of development are drawn in a stereotypical manner of static costs and benefits where the 'sending' countries of the South suffering 'brain drain' are supposed to derive three kinds of economic benefits in return – Remittances, Transfer of Technology, and Value-added human capital through Return Migration. Whose perspective is this? Is it of the North thrust upon the South? Or, is it of the South itself? In the post-modern transnationalisation-through-migration context today, the stakes are no longer static but dynamic; and the comparative advantages of the 'receiving' North countries are much bigger than those 'conceded' by the North. Does the South have a say in assessing these benefits for the North? Only an equitable adversary analysis of the dynamic conflict of interests would be able to bring them up on the surface for a balanced and equitable 'inter-transnationalisation' between the North and the South countries. Or else, the North countries would perhaps generate an 'intra-transnationalisation' amongst themselves, and the South countries would be left to remain outside it.

One important ingredient in this shift from static to dynamic conflict of interest between the North and the South is the growing temporariness of migration that 'circulatory migration' has brought about to move and replace one generation of human capital with another faster than ever before. I visualize this paradigm shift in terms of a locus of three central issues, viz., to state in generic terms, "age," "wage," and "vintage". These comprise the competitive agendas and strategies of nations – to optimise age-structural changes in population, maximize incomes, and accumulate quality human capital embodying the latest "vintages" of knowledge - through mobility of both types - the 'finished' (established professionals, scientists and researchers), and the 'semi-finished' (post-graduate students).

Is migration a 'non-negotiable sovereign territory' of nations where the North and the South cannot influence each other's decisions and bridge the divide for global development? The issues of dynamic conflicts of interest and their resolution are raised in the context of adversary analysis as a methodological tool for replacing conflict with a win-win outcome – for global welfare on a scale that could be larger than the sum of its two units – the interests of the North and the South.

1. The Stereotypes and the Emerging Contours of Paradigm Shift

Let me begin with the so-called "profit" the developing countries of the South supposedly reap from migration of its people– the stereotypes of the benefits derived in the form of: (a) the return migration of workers with enhanced skills from the host countries of the North to their home countries in the South; (b) the remittances; and (c) the transfer of technology.[1]

Whereas there is a lot of talk about return migration of skilled people back to India, particularly in the wake of BPO or outsourcing, the quantity and quality of human capital returning to home countries is simply not known. Similarly, whereas there are some estimates of remittances that are available and that project remittances to be substantial and increasing, the sources are mostly from countries of the South itself – sent by unskilled migrants from the Gulf countries of West Asia and the 'tiger economies' of East and South-east Asia. Again, the transfer of technology is controlled by a patent regime which is grossly tilted against the countries of the South – the so so-called TRIPs, TRIMs and the GATS of the WTO negotiations, and pricing of technology in a highly oligopolistic market. In contrast to the stereotypes, therefore, it may be equally argued that these are exactly the three channels through which it is the developed host countries of the North which tend to reap the maximum "profits" from the immigration of skilled migrants coming out of a home country of the South, like for example, India.

India has drawn worldwide attention as a country of origin for the migration of the so-called "knowledge workers" in the 21st century, mainly the information technology or, in short, IT professionals, to developed countries, with 80 percent of the emigrants migrating to the United States. However, knowledge workers have been emigrating from India since the late 1960s. Traditionally branded as "brain drain," the cost of migration of such highly educated Indians was seen as a financial investment loss in education, a social skill loss of trained personnel, and as the loss of catalysts of necessary political change in the exodus of young unemployed graduates (Khadria 2005). Conversely, the primary benefits have been identified as the return migration of those Indians further educated and experienced abroad, the monetary remittances sent home by the migrant workers, and the transfer of technology through programmes like the UN's TOKTEN program. However, the perception of these costs and benefits have changed with shifts in the paradigm - from "brain drain" of the 1960s and 1970s

[1] For a critique of these stereotypes, see Khadria (1990).

to “brain bank” of the 1980s and 1990s, and subsequently to “brain gain” in the 21st century. The complete turnaround is reflected in ongoing euphoria over increasing quotas for immigration in developed countries, mainly the United States, Canada, the United Kingdom, the European Union, Australia, and New Zealand, among others.

Yet, there are emerging contours of profit and loss (or benefits and costs) in international migration that have remained uncharted so far (Khadria 2006a). Methodologically, these could be seen as arising from three key aspects of a dynamic conflict of interest of nations over international migration in the 21st century that are potentially very significant. I describe them in three generic terms, respectively, as “age,” “wage,” and “vintage”.

2. The Dynamic Conflict of Interest Between North and South

2.1 Age: The Primacy of Temporary Migration

In recent times, international migration policies of the developed North countries have shown a tendency of encouraging even the highly skilled immigrants from a developing South country not to settle permanently in the destination country, but to ‘circulate’, or shuttle, between temporary modes of stay (in the host country) and return (to the home country). Migration has thus come to move and replace older generations of human capital with younger ones on a continuous basis, and thus keep the age-profile of the migrant workers young, particularly to neutralise their own ageing population structures.

Recent publications testify that while the growth of permanent settler admissions in developed countries has slowed down, the number of temporary worker entrants has grown more rapidly in the 21st century. This is a result of the new emphasis on return migration as part of effective migration management policies instituted by receiving North countries of Europe and America. In the case of legal migration, particularly involving educated and skilled migrants, the British work permit, the German “green card,” and the US H-1B visa, even the so-called “GATS visa” proposed under the General Agreement for Trade in Services of the WTO negotiations, are all examples of policies invoked to encourage temporary instead of permanent migration of highly skilled professionals.

Other developing countries of the South, where emigrants originate like Pakistan, Bangladesh, and Sri Lanka in South Asia have been overwhelmed by the bandwagon of a return migration policy, one which is aimed at benefiting them in all respects. These countries have

not shown enough internal sensitivity to comprehend the social costs of return migration policy on individual workers and their families, especially concerning unexpected violations of basic human rights and undesired outcomes on the humanitarian front. When return is imminent, for example, in most cases only the primary worker moves and the immediate family remains in the country of origin for much of the time. The family dilemma arises because of the possible constraints of the spouse's job and the children's schooling in the home country. Under such circumstances, temporary migration entails a compulsory separation between the members of the family, making both the worker and the family 'nomadic' travellers. It also makes the return of the worker to the home country a kind of 'forced' migration, although all the decisions within the concerned migrant's family tend to remain voluntary.

2.2 Wage: The Silent Backwash of Remittances

According to the IMF, remittances to developing countries were US$65 billion in 1999. In South Asian countries, remittances have grown very rapidly. For example, India, along with the Philippines, received 65 percent of inter-Asian remittances. The 2004 estimates of the World Bank (2005) record US$22 billion of remittances to India, putting it at the top of remittance receiving countries. That is close to 10 percent of the worldwide remittances sent home by 191 million migrants. There is discussion surrounding the creation of policies to promote remittances, but not enough attention is being paid to the utilization of remittances in the home countries.

A more recent trend is the backwash of remittances to developed countries in the form of overseas students' fees. During his 2004 visit to the United Nations, Indian Prime Minister Dr. Manmohan Singh made an appeal to developed countries, such as the United Kingdom, to reduce their overseas student fees—fees that are far higher than corresponding fees for their home students. According to the *Open Doors 2004* estimates of 2003 through 2004, for over two-thirds of the overall 572,509 international students in the United States, the primary funding for education came from students' "personal and family" sources, the US sources supporting only 25.7 percent of students (IIE 2004). The US economy thus reaps a handsome US$13 billion annually from more than 500,000 students who come to the United States to study. *Open Doors data* for 2004-2005 indicate that nearly 72 percent of all international students reported their primary source of funding as coming from personal, family, or other sources outside of the United States (IIE 2005). The proportion of students relying primarily on personal and family funding increased by 1.5 percentage points to 67 percent of all international students in the 2004-2005 year, and an even higher percentage—81 percent—at the

undergraduate level. Rising tuition costs and weak economies in some countries place a substantial economic burden on students and their families. On the other hand, US Department of Commerce data continues to rank US higher education as among the five largest service sector exports. Similar estimates for the United Kingdom, other countries in the European Union, Canada, Australia, and New Zealand substantiate the proposition that developed immigration countries are already on the path to capitalize on the trade in educational services even without GATS fully stepping in, and subsidize their own home-students (like the USA subsidizes its cotton growers – thereby hurting and marginalizing those in Africa and Brazil (Stiglitz 2006). As a result, there is now a new trend of silent backwash flow of remittances out of the home countries of the migrants in the South to their host countries in the North. Partly, the home countries' short-sighted policies, or lack of any policy, are also responsible for this development. For example, India, having amassed a huge amount of foreign exchange reserve, has just raised the permissible ceiling of US$25,000 per annum remittance abroad to US$50,000 end of last year.

2.3 Vintage: The Primacy of Student Migration

Highly skilled persons from countries such as India have migrated not only through the employment gate, but also through the academic gate – as the 'semi-finished human capital' (Majumdar 1994). Figures presented in *Open Doors 2004*, the annual survey of the US Institute of International Education (IIE), revealed that during the 2003-2004 academic year, Indian students accounted for 13.9 percent of all foreign students in the United States, the largest percentage for the third year in a row, followed by China, Korea, Japan, Canada, and Taiwan. In the 2004-2005 academic year, India remained the largest academic emigrant country of overseas students in the United States for the fourth consecutive year with a total number of 80,466, although registering only a modest one percent increase over the previous year's enrollments. The rate of growth was undoubtedly much slower than the double-digit increases of the earlier three years. However, this modest increase has been more than made up for by the increase of 23 percent from India, the largest amongst all countries, in the number of applications for Fall 2006 overseas admissions, closely followed by China's 21 percent.

To serve the dual purpose of sustaining their expensive higher education structures and meeting short-term labor shortages, both the United States and the United Kingdom have adopted a policy of allowing international students in the US and British universities to stay on and work, rather than return to their countries of origin upon completion of their degrees.

The growing competition among countries like the United States, the United Kingdom, Canada, Australia, New Zealand, Ireland, and non-English speaking ones too, such as France, Germany, and the Netherlands, is attracting even Ivy League institutions to South Asia, particularly India, to recruit the best of students.

The effects of such key trends in countries of emigrant origin like India are evident in the shortage of teachers in leading institutions of professional higher education. The country's biggest global brand, the publicly subsidized Indian Institutes of Technology (IITs), is starved of qualified teaching staff. Estimates suggest that some 380 critical vacancies at the seven IITs across the country have no takers. With future teachers being wooed abroad, India will be left high and dry in its capacity to produce human capital, the backbone of India's advantage in IT, Biotechnology and so on. The North countries accumulate latest vintage of knowledge and technology embodied in later generations of students. In addition, destination countries also gain political mileage in the form of foreign students who become their long-term ambassadors in the international political arena.

3. Between Return Migration and Naturalization: The Emerging Institution of Dual and Multiple Citizenship (DMC)

Paradoxically, along with direct promotion of temporary migration policies aimed at return of the migrants to their home countries, the new millennium and the twenty-first century has also witnessed the issue of dual and multiple citizenship (DMC) appearing on the agenda of nations – both immigrant-receiving and immigrant-sending countries – and promoting naturalization and reinstatement of lost citizenship respectively.[2] Examples of impacts of this trend in policy circles of the receiving North countries may include the fact that: (a) in North America, the U.S. Census 2000 counted persons with "more than one race"; (b) in Europe, the British Census 2001 counted ethnic groups and persons 'born abroad'; (c) in the Pacific, in 2002, the Australian government liberalized its stance towards dual nationality. Similarly, examples of sending countries in the South are: (d) in South-East Asia, the lifting of ban on dual citizenship in the Philippines in 2003; (e) in South Asia, the granting of Overseas Citizenship of India (OCI) in 2005; (f) in Eurasia, the ongoing current debate in Armenia.

[2] See Appendix, for a list of countries.

Interestingly, by way of encouraging to-and–fro mobility, or what is presently known as "circulatory migration", between nation states of which a migrant settler is holding citizenships, DMC leads to a kind of reversal from permanent to temporary migration, though with a difference. The difference would arise primarily from the return migration to the country of origin - the flow which is intrinsic in temporary migration - becoming (a) more voluntary and (b) less permanent in nature.[3]

The newly intensified circulatory migration would thus involve what may be appropriately called "temporary return" to the country of origin. In properly understanding the fallout of this paradoxical looking reversal from permanent migration, one needs to refer back to the generic costs and benefits (to the host and home countries) that I have elaborated earlier – the determinants that would drive their policies towards or away from DMC, particularly in the context of the political economy of transnationalisation and development.

Even the growing phenomenon of business process outsourcing (BPO) to these low-income (and therefore, low labour-cost) economies of South Asia is also being projected as a joint-product of return migration policies at the upper end of the skill spectrum, popularly called the "brain gain".[4] There is an important distinction between the two, however, that needs to be taken note of. An incidence of return under a return migration *policy* has social costs that a return under *market forces* may not have because of the degree of constraint involved – ranging between compulsion and autonomy - in the decision-making about emigration and/or return to the country of origin, compulsion being high in the former and minimal in the latter.

The major contrast is that under temporary migration, the tendency of change is towards eventual return of the migrant, whereas under permanent migration it is towards naturalization. It is the latter which, when followed up by DMC, would encourage return migration through circulation and not compulsion. There are thus social costs that need to be understood from the implications of a return migration policy vis-à-vis DMC on the individual

[3] While for most developing countries, return of talent is unrealistic, so-called brain circulation networks can be developed to create conditions for the expatriate to engage with their home country, in particular in the area of knowledge transfer, business creation and promotion of technology-intensive FDI. There are three main types of "brain circulation": Diaspora networks of scientists and R&D personnel; business networks of innovative start-ups and networks of professionals working for multinationals. To be efficacious for the home countries, each of these networks has to be designed in accordance with its own nature. Scientific networks, for instance, are quite easy to start, but difficult to sustain while the opposite is true for influential professionals in multinationals (See, Kuznetsov 2006).

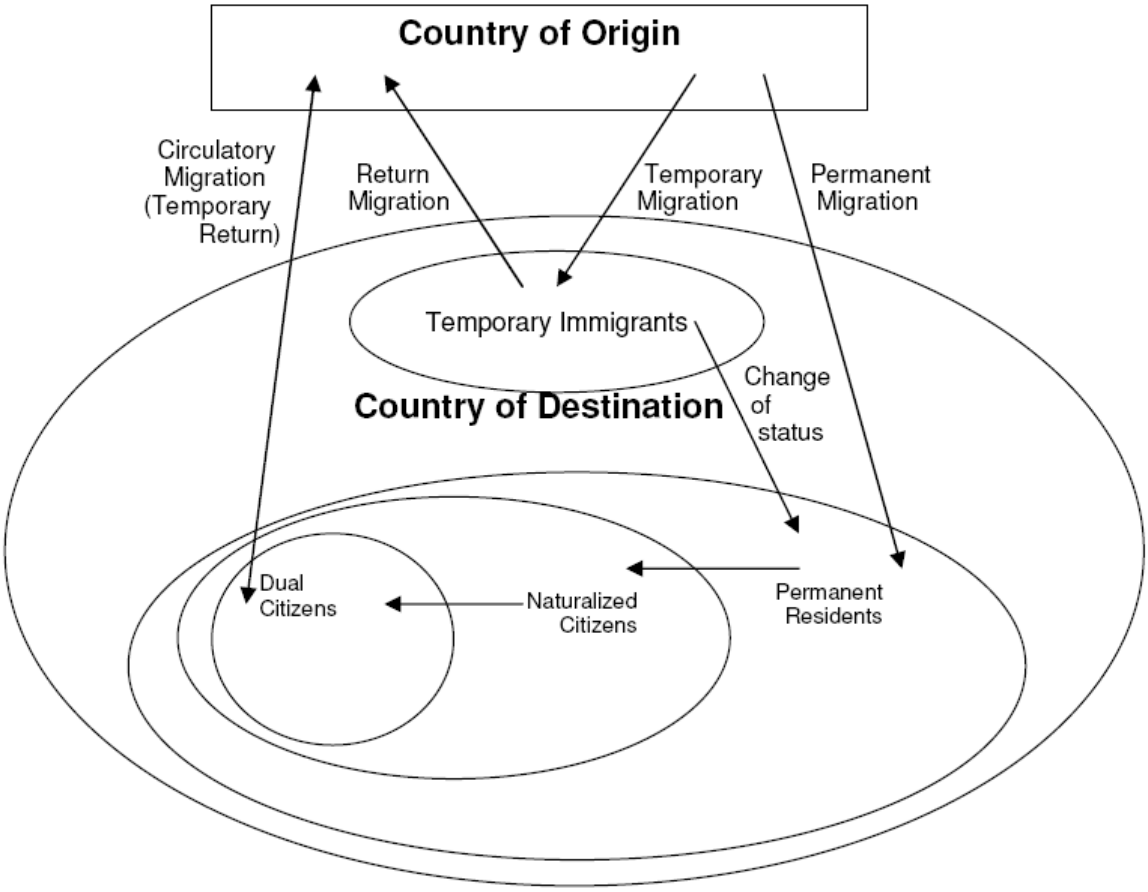
[4] See, also BBC News, 'India attracts Western tech talent', by Zubair Ahmad, Bangalore, 5 September 2006b, http://news.bbc.co.uk/2/hi/south_asia/5272672.stm. See, also BBC (2004, 2006a), Khadria (2006d).

workers and their families as to what and how significant would be the outcomes on the social front.[5] DMC would, in this respect, be more likely to eliminate whatever small or big element of compulsion is there in "induced return" or "forced return", and replace it with "voluntary temporary return", in turn leading to circulatory migration.

In fact, the costs and benefits of DMC, perceived by states in terms of an array of equity and efficiency elements (viz., loyalty, exit option for some members, i.e., when dual nationals having an option that most others within the nation's citizenry would not enjoy, unfairness of double voting, instructed voting, and costs arising from the heterogeneity of diplomatic protection, military service and conscription, conflict of law regarding civil status, inheritance, taxation and pension benefits, and the presumed benefits like revived affiliations, connections with home countries; and promotion of voluntary naturalization and integration in the host countries, etc.) could all be analysed more generically in the context of an alternating move of policy emphasis towards a full circle – a policy that alters the status of most migrants from that of (a) a temporary immigrant, to (b) a permanent resident, to (c) a naturalized citizen, to (d) a dual/multiple citizen, to (e) a circular migrant (in effect, a temporary returnee) (Diagram 1).

[5] There are plenty of such examples, for instance, the case of the "living-in careworkers programme" (LCP) in Canada, where women migrant workers from the Philippines have to remain separated from their family for years and sometimes decades, together.

Diagram 1: The Cycle of Migration for Development, byDual Citizenship-induced Circulatory Migration and Temporary Return



Source: Conceived and drawn by the author.

An extremely fast-track example of such policy transition amongst recipient countries is currently visible in the growing primacy of student immigration in the developed receiving countries. Students are normally admitted on temporary visas in most countries. The growing competition among countries like the US, UK, Canada, Australia, New Zealand, Ireland, Singapore, and non-English speaking ones too, like France, Germany, the Netherlands, etc. for enrolling foreign students, have brought their higher education institutions to Asian countries, and in particular low-income South Asia (*Economic Times*, Nov., 24, 2004).[6] Figures collated in the *Open Doors 2004,* the annual survey of the US Institute of International Education,

[6] See, also Khadria (2002). See , also Khadria (1999, 2006b, 2007)

reveals that in 2003-04 university enrolments in the US, Asian students retained five of the first six rankings: India followed by China, Korea, Japan, Canada, and Taiwan. In 2004-05, India retained its top position.[7] For the Fall 2006 season enrollments too, Indian applications registered the largest increase of 23 per cent, closely followed by China's 21 per cent (*Hindustan Times*, 26 March, 2006). To serve the dual purpose, i.e. to sustain their expensive higher education systems, and to meet short-term labour shortages, both the US and the UK have recently adopted a policy of allowing foreign students in the American and British universities respectively to stay on and work, rather than return to their countries of origin on completion of their degrees. In New Zealand, and more recently in Singapore, policies have been announced to encourage foreign students to take up jobs at the end of their study, followed by permanent status, and eventually citizenship.[8] The inherent brain drain would perhaps have an opportunity to be mitigated if naturalization gave way to DMC that would facilitate circulatory migration for development engagement of the diaspora in both host and home countries rather than only in the former.

4. Territorial Limits of Diaspora Resources: The Macro Canvas of Development Engagement through South-South Cooperation

Engagements of the diaspora resources for development in home and host countries through the three types of generic stakes would not be limited to individual endeavours at the micro level; but could increasingly become ethnically determined group activity, with the DMC granted by the home country strengthening such ethnic or national identity within the homeland associations and other diaspora networks at the macro level.

[7] Of the five top countries accounting for almost half (47 percent) of all international students in the United States in the year, India remained the largest sending country for the fourth consecutive year with a total of 80,466 students, a modest 1 percent increase over the previous year's enrollments. This rate of growth was considerably slower than the double-digit increases experienced over the past three years (12% in 2003-04, 23% in 2002-03, and 29% in 2001-02) (IIE 2005).

[8] The negative effects of such key trends in countries of origin like India have started becoming evident in terms of shortage of teachers in the technical schools (*Economic Times*, 10 Nov 2004). India's biggest global brand, the publicly subsidised Indian Institutes of Technology (IITs), is starved of qualified teaching staff. By an estimate, some 380 critical vacancies at the seven IITs across the country have no takers. With future teachers being wooed abroad, India would be left high and dry in its capacity to produce human capital, the backbone of Indian democracy. See, also Khadria (2001, 2004, 2006c), NCAER (2005).

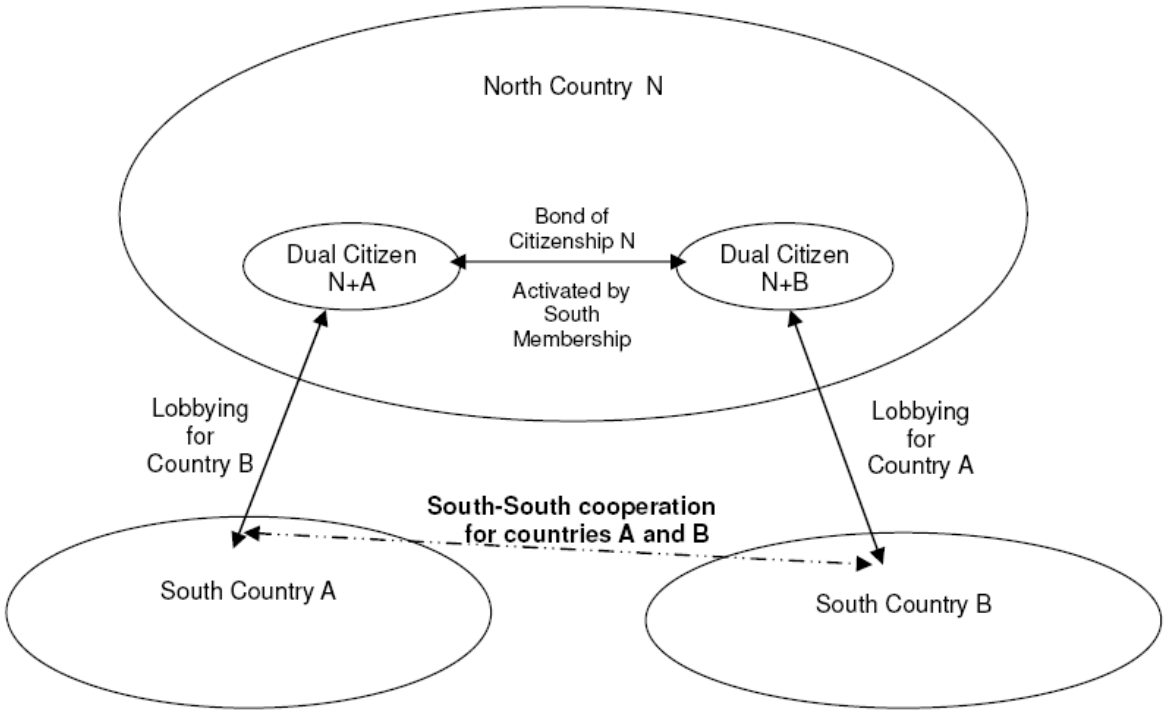
The informal or formal allowance of dual nationality can increase the availability of rights for migrants in a fast changing global society.[9] Given this understanding and empathy, innovations can take it further in, heuristically speaking, fostering South-South cooperation amongst low-income countries. Dual citizenship can, hypothetically speaking, even pave the way for multiple citizenship, or at least multiple nationality across countries that may have been once part of a common colonial empire historically, e.g., India, Pakistan, Bangladesh, Sri Lanka, Myanmar, and so on. The dual citizens of each of these countries living in a third-country of the North could come together to moot such an idea. The returning nationals would not be then necessarily encouraged to return to their own low-income homeland every time they wished to engage their skill, labour and time into an anti-poverty programme, so to say, but to another poor country within the group for participating in a intra-South development-related transnationalism. The added advantage of this possibility would be that the economies of scale arising from the large population of the low-income countries in the South would be together counted as functional human capital.

By its inherent characteristic, the granting of DMC to an individual at the micro level by one state involves transnational recognition of the sovereignty of the other state upon its members at the micro level, and, therefore, indirectly of the maxim of mutual co-existence at the macro level. As an extrapolation of this latent relationship too between countries, it may not be wholly inconceivable to think of DMC as a possible route to South-South cooperation for transnational development. One perhaps cannot generalize, but surely DMC can play a role in initiating or strengthening such South-South-cooperation for development-related projects – in bringing different nationalities of origin together by creating a multi-polar link of diasporic relationship between citizens of different countries residing in a single host country. For example, an Indian-American dual citizen in the U.S. could become the medium of arbitration and co-operation between the two governments of India and China when his or her colleague is a Chinese-American citizen through whom he/she could lobby the Chinese government. Such a bilateral situation could be simulated multilaterally too when “club members” comprising naturalized American citizens hold two citizenships – one of the U.S. and the other from one of the various Asian countries of their origin. When DMC is not allowed by the countries of origin, the members would have neither the legitimacy nor a strong emotional bond to get

[9] In the US, for example, a Dominican American politician ran for local office both in the US and the Dominican Republic, despite the formal ban on dual nationality in the US. The comparative literature on immigration also shows that the transnational political participation of immigrants and dual nationals in numerous countries has grown.

involved in such endeavours. For voluntary NGO activities, the scope of such cooperation would be even greater. In fact, the to-and-fro circular migration between the host and a home country, as facilitated by dual citizenship, could then be further extended to become triangular or quadrilateral or even multilateral circular migration of a dual national, across to a country of which he/she is not a citizen, but whose co-member in the club is (Diagram 2). This would facilitate engagement of the diaspora resources in what I would call "third-country development" in many poor nations of the South.

Diagram 2: South-South Cooperation through DMC



Source: Conceived and drawn by the author.

To operationalise such cooperation between members of the South countries, it should be possible to create regional or continental umbrella networks of the diasporas across countries. Other than overseas Chinese investing in *homeland* China, as an example of such possible intra-South transnationalisation, the Korean diaspora has invested in *host land* China. The rapid economic growth of South Korea has made it a significant source of foreign investment in China. One Chinese region that has received significant attention from South

Korea investors is Yanbian. Yanbian Prefecture, bordering North Korea, has a total population that has increased from 0.83 million in 1950 to 2.14 million by 1993. While Koreans are still the largest ethnic group in Yanbian, as a proportion of the total population, it has steadily declined from 63 percent of the total in 1949 to 40 percent in 1993. Nevertheless, available information indicates that the South Korean diaspora is still the one that has bestowed its resources on the Chinese prefecture and its towns (Wu 1998, pp. 94-97).

However, there is a flip side too in the prospects of a South-South cooperation that one must keep in mind. Ideally, any analysis of dual citizenship focusing on low-income South countries should incorporate the legal provisions as well as the incidence of dual citizenship for its nationals abroad. However, intra-South dual citizenship would perhaps stand rather discouraged for in-migrants in receiving countries although it would be welcome for emigrants from overpopulated or poor sending countries as a South-South cooperation strategy. This leaves the domain limited to dual citizenship for the emigrants as opposed to immigrants in the South countries.

Having explored these possibilities, the next question for South-South cooperation would be about what kind of development: Top-down through a few business and industry leaders, or bottom-up through education and health of the masses. The top-down approach would certainly have costs of possible marginalisation and exclusion of the lowest-income countries within the South. The bottom-up approach, on the other hand, would be inclusive of them, but would require a longer gestation period. However, in the first option, better-off intra-South diasporas would have the capabilities to use DMC mainly to their advantage, whereas the worse-off would be left out; in the latter option they would use the capabilities to uplift the poorer countries. There is thus scope for complementarities. What is perhaps required, *through* and *for* South-South cooperation, is a long-term policy that is aimed at establishing a link with a pan-South Diaspora for sustainable socio-economic development, where inter-country exchange and cooperation is in-built. This could begin through a fusion between economic groups like ASEAN, SAARC, and other such alliances.[10]

To arrive at the proverbial 'win-win-win' situation in intra-regional relations through South-South cooperation for all the three stakeholders – the South countries of origin, the migrants as a pan-South diaspora, and the host destination countries of the high-income North, two specific conditions must, however, be met: (a) A “necessary condition” of dominant or signifi-

[10] See the special July issue of *Asian Population Studies* (2007).

cant global geo-economic presence of the South workers; and (b) a "sufficient condition"' of the home countries in the South deriving *sustainable* benefits from that global geo-economic presence of the South migrants. In terms of the large demand for skilled as well as unskilled workers abroad from the South, and the migrants establishing excellent records of accomplishment in the countries of their settlement, it can be said with some degree of confidence that the first condition has been more or less been fulfilled.[11] To satisfy the sufficient condition though, that the poor South countries derive significant gains from the global geo-economic presence of their migrants, the diaspora resources like the flows of remittances, cross-country transfer of technology, and return and circular migration must not be all directed towards trade and business but substantially towards the removal of two kinds of poverty in the region – what I have elsewhere called the "poverty of education" and the "poverty of health" – two areas where migration has so far failed the society of the countries of origin in contributing to economic and social development. Large masses of the illiterate and uneducated population, incapacitated further by their poor health status are the root causes of the South having some of the lowest levels of average productivity of labour, and therefore lowest average wages in the world - a paradox when members of their diasporas like Indian or Chinese or Filipinos, individually and on the average, make up amongst the largest contributing single ethnic communities in their countries of destination.[12] The South-country diaspora networks and associations abroad could, therefore, play the catalyst's role – economically in raising the average productivity of mass of South workers in their respective home countries by thinking health and education in the region as the MDG priority areas of diaspora engagement, rather than focusing on immediate but unstable 'profit-making' ventures in industry and business.

Are there lessons to be leant from within Asia here? Is it not wise to try and imitate China's bottom-up path that it followed long ago through mass education and health, and not getting carried away by its present top-down path of leveraging the 'diaspora capital' for develop-

[11] Whichever approach is chosen, engagement of diaspora resources would depend on the capability of the members of the diaspora group to actually participate in such endeavours. One example could be the length of stay in the host country (See Chiswick, 1978). In other words, capabilities for development engagement of the diaspora would be the indices of access to the enabling determinants, with or without DMC. Such 'capabilities' a la Amartya Sen (1999) could, in this case, be measured by indices of how much of the geo-economic space the South diasporas occupy in the receiving country. For example, in the US, the US census data may be used as proxies of such capabilities. .

[12] For example, it is indeed paradoxical that the average per-hour contribution of each employed worker within India to the production of India's gross domestic product (GDP) has been amongst the lowest in the world - a mere 37 cents as compared to the United States' 37 dollars, i.e., one-hundredth of the latter. This is naturally ironical, because the same average Indian employed abroad contributes very high average share to the GDP of the country where one settles and works (Khadria 2002).

ment? Perhaps, the answer would lie somewhere in the middle. Given the speed of globalization, low-income countries of the South, like India, do not have an either-or choice here. They would require a basket of long-tern bottom-up and short term top-down deployment of diaspora resources. They will have to choose a middle path by complementing short-run and long-run strategies of development – business and industry for the short-run targets of immediate employment generation, but education and health as long-run aim of generating employable human capital – the latter particularly geared towards raising the average productivity of labour at home and sustaining it. Such a mix would ameliorate a lot of migration woes, when the sending countries of the South could acquire immunity to emigration (and immigration too, as a highly productive labour force can feed the poor immigrants pouring in from lowerer-income neighbouring countries). The new century has marked a paradigm shift through globalization to which I think the universe of policy discourse in the South must adjust and benefit from.

This sets a "double challenge" of public policy for the sending countries of the South: First, to convince their own "capable" diaspora communities abroad to rethink the development process in homeland as a "bottom up" creation and enhancement of sustainable productivities of labour through development of education and health rather than a "top down" development through participation in business and industry - one comprehensive, the other dispersed; one long-term, the other immediate. It is not just a matter of willingness; in many instances, it would entail long periods of struggle in creating those decision-making and priority-setting discerning capabilities amongst the leaders of the migrant community to appreciate the logic that a large population with purchasing power in pocket only would provide the sustainable market in which they would be able to sell their products effectively and profitably. Secondly, they must be able to convince the countries of destination in the North (and the other countries of origin within the South as well) as to where lies the distinction between most 'painful' and most 'gainful' socio-economic impacts of the migration of citizens – whether skilled or unskilled: For the high-income receiving countries of the North, the winning situation would arise because these destination countries would then be able to continue to attract knowledge workers from South countries like India, China, Pakistan, the Philippines and so on - both young professionals and youthful students - and ameliorates their own problems of aging population, and accumulating pension liabilities, as well as sustains their lead in the accumulation of the latest vintages of knowledge embodied in the latest generations of graduates and students - what I have earlier referred to as the advantages of Age, Wage, and Vintage respectively (Khadria 2006a).

Such "adversary analysis" of costs as well as benefits in multilateral fora would help countries of the South press and persuade for international norms in the Mode 4 negotiations of the GATS on the issue of movement of 'natural persons' as service providers under trade, which is just another description for propagating the temporary entry route for non-nationals, as opposed to circular mobility through permanent migration and DMC. That the temporary route – operationalised by the "open and shut" migration policies of the recipient countries of the North - has been full of *vulnerabilities* for their migrants at the micro level (those beginning with the varying consular practices), and one that leads *to instabilities* of the 'cobweb disequilibrium' variety in their education and labour markets at the macro level must be conveyed emphatically. One way of taking the first concrete steps towards upholding a demand for guaranteed removal of these two key elements from practice would perhaps be that the South countries must not only think but actually show South-South cooperation, rather solidarity, on dual and multiple citizenship amongst themselves.

5. Lessons to be Learnt: Methodological Locus of Three Issues

In trying to understand who reaps the profits from this transition, I would thus urge that we visualize a locus of three central issues that encompass the paradigm shift in migration today:

First, migration concerns with the aging population structures in the developed countries primarily underlie the labour market mismatches, prompting policies that prefer youth immigration to fill the quantitative physical gaps of numbers. Soaring migration of medicos and nurses and care-workers to look after the ailing and the aged, health tourism, etc., are part of this group of *labour transfer issues*.

Second, there are wage concerns related to temporary migration replacing permanent migration, the former leading to higher turnover of migrant workers and thereby slower growth of the overall wages bills, perks and pension commitments to foreign workers in countries of destination. Dynamics of remittances and tax liabilities of migrant workers also form part of this group of *financial transfer issues*.

The third group comprises the competitive agendas and strategies of nations to accumulate quality human capital. The goal is to generate the latest "vintages" of knowledge through cost-effective talent flows embodied in the mobility of professionals in cutting-edge areas like information technology, bio-technology and so on, as well as the mobility of tertiary students

in a variety of fields. National security concerns of the post 9/11 immigration regimes and issues like dual-citizenship also belong to this genre of *knowledge transfer issues*, including globalization or segmentation of the curriculum between citizens and foreigners.

To draw a comparison between now and the past, one noticeable difference is that the centre of focus has now shifted from source-country determinants of migration in South to destination-country determinants in the North. Today, migration flows are formidably demand-determined and worker-seeking as opposed to being supply-determined and work-seeking, say, for example, thirty years ago. It is now a challenging area where the conflict of interest between the countries of the North and the South is no longer static but dynamic – spread over different time-horizons for the receiving and sending sets of societies. Is this conflict insurmountable? Why then migration is an area which the countries consider 'non-negotiable sovereign territory' when it comes to opening it up for multilateral negotiations where policy makers of the North and the South can come together and influence each other's decisions – whether by lobbying or moral suasion?

Only an equitable adversary analysis of the dynamic conflict of interests would be able to bring them up on the surface for an optimal, balanced and equitable 'inter-transnationalisation' between the North and the South countries. Or else, the North countries would perhaps generate an 'intra-transnationalisation' amongst themselves, and the South countries would be left to remain outside it.

Appendix

Countries/Territories allowing Dual/Multiple Citizenship in Some Form

1. Albania	16. Cape Verde	31. Ghana	46. Lesotho	61. Northern Ireland	75. Slovenia
2. Antigua & Barbuda	17. Chile	32. Greece	47. Liechtenstein	62. Panama	76. South Africa
3. Argentina	18. Colombia	33. Grenada	48. Lithuania[c]	63. Paraguay	77. Sri Lanka
4. Australia[a]	19. Costa Rica	34. Guatemala	49. Macao (w/ Portu.)	64. Peru	78. Sweden
5. Bahamas	20. Croatia	35. Haiti	50. Macedonia	65. Pitcairn	79. Switzerland
6. Bangladesh	21. Cyprus	36. Hungary	51. Madagascar	66. Philippines	80. Taiwan
7. Barbados	22. Cyprus (North)	37. India	52. Malta	67. Poland	81. Trinidad/Tobago
8. Belize	23. Dominica	38. Iran	53. Mexico	68. Portugal	82. Thailand
9. Benin	24. Dominican Rep.	39. Ireland	54. Montenegro (Yugo.)	69. Romania	83. Tibet
10. Bolivia	25. Ecuador	40. Israel	55. Mongolia	70. Russia	84. Turkey
11. Brazil	26. Egypt	41. Italy	56. Morocco	71. Saint Kitts &	85. United Kingdom
12. Bulgaria	27. El Salvador	42. Jamaica	57. Netherlands[d]	Nevis	86. United States
13. Burkina Faso	28. Fiji	43. Jordan	58. New Zealand	72. Saint Lucia	87. Ukraine
14. Cambodia	29. France	44. Latvia	59. Nicaragua	73. Saint Vincent	88. Uruguay
15. Canada	30. Germany[b]	45. Lebanon	60. Nigeria	74. Serbia (Yugo.)	89. Vietnam

Sources: Capriotti & Associates-International Law, Portland, OR 97208-2792 (www.capriotti.com); T. Alexander Aleinikoff, *Between Principles and Politics: The Direction of U.S. Citizenship Policy*; Eugene Goldstein and Victoria Piazza, "Naturalization and Retention for Foreign Citizenship: A Survey;" Ruta M. Kalvaitis. 1998. "Citizenship and National Identity in the Baltic States." *Boston University International Law Journal*, Spring, 16:231, fn 184; K. Connie Kang. 1998. "Dual U.S.-Korean Nationality Nears." *Los Angles Times*, June 14, p.1; Norman Kempster. 1999. "Crises in Yugoslavia: 3,000 to 4,000 U.S. Civilians Believed Stuck, Many of Those Living in the Two Republics Hold Dual Citizenship." *Los Angeles Times*, April 3, p. 8; Peter M. Schuck. 1998. *Citizens, Strangers, and In-Betweens: Essays on Immigration and Citizenship*. Boulder, Colo.: Westview Press, 1998, p. 223; Peter J. Spiro. 1997. "Dual Nationality and the Meaning of Citizenship." *Emory Law Review*, Fall, 48:4, p. 1455, 1457-58; Jorge A. Vargas. 1996. "Dual Nationality for Mexicans?" *Chicano-Latino Law Review*, 18:1, p. 50, fn 198; Gianni Zappala and Stephan Castles. 1999. "Citizenship and Immigration in Australia." *Georgetown Immigration Law Journal*, 1999, 13:273; Micheal Jones-Correa. 2000. "Under Two Flags: Dual Nationality in Latin America and Its Consequence for the United States." *Working Papers in Latin America* (No. 99/00-3), The David Rockefeller Center for Latin American Studies, Harvard University, pp. 3,5.

The strategy employed for this study was to accept as accurate countries listed as allowing dual citizenship by reputable academic authorities in the study of immigration. Where a country was not listed as accepting multiple citizenships by previous studies, but was important for our purposes in the analyses that follow, we e-mailed and called the embassies of those countries directly. We asked: A. Whether the country now permits the children born of its nationals living abroad (e.g., in the United States) to obtain or retain citizenship in the parents' country; and B. Whether the country now permits adult nationals living abroad to retain their citizenship in the country if the adult nationals also become citizens of another country (e.g., the United States).

[a]Gianni Zappala and Stephan Castles. 1999. "Citizenship and Immigration in Australia." *Georgetown Immigration Law Journal*, 13: 273. At footnote 137, they quote the Australian Citizenship Act of 1948 as follows: "People must have deliberately sought and acquired the citizenship of another country in order to lose their Australian citizenship, if they acquire it automatically rather than by taking some action to acquire it they do not lose their Australian citizenship." See also Stephen Castles. 1997. "Multiculturalism Citizenship: A Response to the Dilemma of Globalization and National Identity?" 18 *Journal of Intercultural Studies*, 5, 14-15.

[b]In July 1999, The Citizenship Law Reform Act was published in the German official gazette. This act entered into force on January 1, 2000. Under the new law, German citizenship has always been and will continue to be passed on by parents to the children. Any child of a German national (mother or father, married or not married) will be considered a German citizen by birth, whether born inside or outside Germany. The Reform Act introduces an aspect of "Äûterritorial acquisition:" Any child born inside Germany to parents of foreign nationality will acquire German nationality by birth if at least one parent has been lawfully residential in Germany for at least eight years and has for at least three years been the holder of a certain higher form of residence permit. This new provision will apply to most children of migrant workers who have been living in Germany for at least eight years. Once they have grown up, however, those children will have to decide between keeping German citizenship and renouncing their other citizenship (i.e. that of their parents) or keeping the foreign nationality and losing the German nationality.

Under the existing German Citizenship Law (which in this respect corresponds to that of many other countries, the United States included) German nationals lose their German citizenship if and when they acquire a foreign nationality upon their own application, i.e. by naturalization. It has always been possible in theory to be granted a waiver by German authorities for keeping German citizenship when acquiring a foreign nationality.

Under the new law, this waiver will be granted more easily. The relevant section of the Act reads: "When deciding upon an application in accordance with sentence 1 (waiver), the public and private interests will have to be balanced. In the case of an applicant with residence abroad, it will have to take into consideration whether he/she can make the case for continuing links to Germany."

That means, in effect, that in terms of the naturalization of foreigners as well as the acquisition of foreign citizenship by Germans, the threshold of tolerance of dual citizenship (which has never been a problem in the case of acquisition of several nationalities by birth) will be made much more flexible.

While there is a provision requiring renunciation, Stephan Senders says that in the past there has been no requirement to prove that it was done. He reports that, according to unofficial government estimates, 8 percent of naturalizing Turks retain their Turkish citizenship. Ethnic Germans who have other citizenships were allowed, even under the old law, to retain their German citizenships even when they were naturalized in other countries. A 1993 government study estimated that 1.2 million Germans legally held a second foreign citizenship. See Stephan Senders. 1998. "National Inclusion in Germany." *New German Critique*, 67, pp. 158-159.

The fact that the United States makes no effort to follow through on the renunciation clause in its own oath of allegiance essentially renders any such provisions in the laws of other countries essentially a moot point.

[c]Ruta M. Kalvaitis. "Citizenship and National Identity in the Baltic States." Footnote 184 reads: "Members of the Latvian Diaspora, however, are allowed to hold dual citizenship. See Law on Citizenship (Lat.), supra note 175, transitional provisions 1, 2." Footnote 227 reads: "Lithuania, however, allows members of its Western emigre community to hold dual nationality, despite the fact there is no established law to this effect."

[d]Barbara Schmitter-Heisler. 1998. "Contents of Immigrant Incorporation." In Herman Kurthen, Jurgen Fijalkowski, and Gert G. Wagner, eds. *Immigration, Citizenship, and Welfare in Germany and the United States: Welfare Policies and Immigrants' Citizenship*, pp. 103-140, footnotes 14,15.

Source: http://www.cis.org/articles/2001/paper20/renshonappendix.html - visited in Sept. 2006.

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